KA / BG-GPO/2515/WPP-47/2009-2011

ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೪	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಜುಲೈ ೨, ೨೦೦೯ (ಆಷಾಢ ೧೧, ಶಕ ವರ್ಷ ೧೯೩೧)	ಸಂಚಿಕೆ ೨೭

ಭಾಗ–೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 33 ಕೇಶಾಪ್ರ 2009, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 13ನೇ ಮೇ 2009

2009ನೇ ಸಾಲಿನ ಮಾರ್ಚ್ 20ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Finance Act, 2009 (Act No.26 of 2009) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 20th March, 2009/Phalguna, 29, 1930 (Saka)

The following Act of Parliament received the assent of the President on the 20th March, 2009, and is hereby published for general information:

THE FINANCE ACT, 2009,

No.26 OF 2009

[20th March, 2009]

An Act to continue the existing rates of income-tax for the financial year 2009-10.

BE it enacted by Parliament in the Sixtieth year of the Republic of India as follows:

1. Short title and commencement: (1) This Act may be called the Finance Act, 2009

(2) Section 2 shall come into force on the 1st day of April 2009.

2. Income tax: The provisions of section 2 of , and the First Schedule to, the Finance Act 2008(18 of 2008), shall apply in relation to income –tax for the assessment year or as the case may be ,

the financial year commencing on the 1st day of April, 2009, as they apply in relation to income-tax for the assessment year or, as the case may be the financial year commencing on the 1st day of April, 2008, with the following modifications namely:

(a) in section 2,-

(i) for sub-section (1), the following sub-section shall be substituted, namely:

''(1) Subject to the provisions of sub-sections (2) and (3) for the assessment year commencing on the 1st day of April 2009, income-tax shall be charged at the rates specified in Part I of the First Schedule and such tax shall be increased by a surcharge, for purposes of the Union, calculated in each case in the manner provided therein''.

(ii) in sub-section (2)-

(A) in the opening portion and in clause (a) and sub-clause(ii) of clause(b), for the words ''one lakh ten thousand rupees'' the words ''one lakh fifty thousand rupees'' shall be substituted;

(B) in the first proviso-,

(I) for the words ''one lakh ten thousand rupees'' the words ''one lakh fifty thousand rupees'' shall be substituted''.

(ii) for the words ''one lakh forty-five thousand rupees the words ''one lakh eighty thousand rupees'' shall be substituted;

(C) in the second proviso-

(I) for the words ''one lakh ten thousand rupees'' the words ''one lakh fifty thousand rupees'' shall be substituted;

(II) for the words ''one lakh ninety five thousand rupees'' the words ''two lakh twenty-five thousand rupees'' shall be substituted;

(D) in the third proviso, the words, figures and letter ''as reduced by the amount of rebate of income-tax calculated under Chapter VIII-A of the Income-tax Act'', shall be omitted;

(iii) in sub-section (3), in the opening portion, for the words'' the Income tax Act, the words figures and brackets ''the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the Income-tax Act)'' shall be substituted;

(iv) in sub-section (13) in clause (a), for the figures ''2008'' the figures 2009'' shall be substituted;

(b) in the First Schedule-:

(i) for Part I, the following Part shall be substituted namely:

``PART I

INCOME-TAX

Paragraph A

(I) In the case of every individual other than the individual referred to in items (II) and (III) of this Paragraph or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the income –tax Act, not being a case to which any other Paragraph of this Part applies-

Rates of income-Tax

1	Where the total income does not exceed Rs. 1,50,000	Nil
2	Where the total income exceeds Rs. 1,50,000 but does not exceed Rs. 3,00,000	10 per cent of the amount by which the total Income exceeds Rs .1,50,000

3	Where the total income exceeds Rs. 3,00,000 but does not exceed Rs .,5,00,000	Rs .15.000 plus 20 per cent of the amount by which the total income exceeds Rs ,3,00,000
4	Where the total income exceeds Rs .5,00,000	Rs .55,000 plus 30 per cent of the amount by which the total income exceeds Rs 5,00,000

(II) In the case of every individual being a woman resident in India, and below the age of sixty-five years at any time during the previous year:

Rates of income-tax

1	Where the total income does not exceed Rs. 1,80,000	Nil
2	Where the total income exceeds Rs. 1,80,000 but does not exceed Rs. 3,00,000	10 per cent of the amount by which the total Income exceeds Rs .1,80,000
3	Where the total income exceeds Rs. 3,00,000 but does not exceed Rs .,5,00,000	Rs .12.000 plus 20 per cent of the amount by which the total income exceeds Rs ,3,00,000
4	Where the total income exceeds Rs .5,00,000	Rs .52,000 plus 30 per cent of the amount by which the total income exceeds Rs 5,00,000

(III) In the case of every individual being a resident in India, who is of the age of sixty-five years or more at any time during the previous year:

Rates of income-tax

1	Where the total income does not exceed Rs. 2,25,000	Nil
2	Where the total income exceeds Rs. 2,25,000 but does not exceed Rs. 3,00,000	10 per cent of the amount by which the total Income exceeds Rs 2,25,000
3	Where the total income exceeds Rs. 3,00,000 but does not exceed Rs .,5,00,000	Rs .7,500 plus 20 per cent of the amount by which the total income exceeds Rs ,3,00,000
4	Where the total income exceeds Rs .5,00,000	Rs 47,500 plus 30 per cent of the amount by which the total income exceeds Rs 5,00,000

Surcharge on income –tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or in section 111A or section 112, shall-

(i) in the case of every individual or Hindu undivided family or association of persons or body of individuals having a total income exceeding ten lakh rupees, be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent of such income-tax.

(ii) in the case of every person other than those mentioned in item (i), be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent. of such income-tax;

Provided that in case of persons mentioned in item (i)above having a total income exceeding ten lakh rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of ten lakh rupees by more than the amount of income that exceeds ten lakh rupees.

Paragraph B

(I) In the case of every co-operative society

Rates of income-tax

1	Where the total income does not exceed Rs. 10,000	10 per cent of the total income;
2	Where the total income exceeds Rs. 10,000 but does not exceed Rs. 20,000	Rs .1,000 plus 20 percent of the amount by which the total income exceeds Rs .10.000;
3	Where the total income exceeds Rs. 20,000	Rs .3,000 plus 30 per cent of the amount by which the total income exceeds Rs 20,000.

Paragraph C

(I) In the case of every firm,

Rate of income-tax

On the whole of the total income 30 percent

Surcharge on income-tax

The amount of income tax computed at the rate hereinbefore specified, or in section 111A or section 112, shall in the case of every firm having a total income exceeding one crore rupees, be increased by a surcharge for purposes of the Union calculated at the rate of ten percent of such income-tax:

Provided that in the case of every firm having a total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

Paragraph D

In the case of every local authority,

Rate of income-tax

On the whole of the total income 30 percent

Paragraph E

In the case of a company;

Rates of income-tax

I	In the case of a domestic company	30 percent of the total income
II	In the case of a Company other than a domestic company (i) on so much of the total income as consists of (a) royalties received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 31st day of March 1961 but before the 1st day of April 1976;or (b) fees for rendering technical services received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 29th day of February 1964 but before the 1st day of April 1976	

	And where such agreement has in either case, been approved by the Central Government	50 percent
(ii)	On the balance if any of the total income	40 percent

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or in section 111A or section 112, shall, in the case of every company, be increased by a surcharge for purposes of the Union calculated-

(i) in the case of every domestic company having a total income exceeding one crore rupees, at the rate of ten per cent of such income-tax;

(ii) in the case of every company other than a domestic company having a total

Income exceeding one crore rupees, at the rate of two and one-half per cent.:

Provided that in the case of every company having a total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income tax on a total income of one of crore rupees by more than the amount of income that exceeds one crore rupees."

(ii) in part IV, in rule 8,_

(A) for sub- rules (1)and (2), the following sub-rules shall be substituted, namely:

"(1) where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 2009, any agricaltural income and the net result of the computation of the agricultural Income of the assessee for any one or more of the previous years relevant to the assessment year commencing on the 1 st day of April, 2001 or the 1 st day of April, 2002 or the 1st day of April,2003 or the 1st day of April, 2004 or the 1st day of April, 2005 or the 1st day of April, 2006 or the 1st day of April, 2007 or the 1st day of April 2008, is a loss, then, for the purposes of sub-section (2) of section 2 of this Act ,-

(i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2001, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2002 or the 1st day of April 2003 or the 1st day of April, 2004 or the 1st day of April, 2005 or the 1st day of April, 2006 or the 1st day of April, 2007 or the 1st day of April, 2008.

(ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April,2002, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2003 or the 1st day of April, 2004 or the 1st day of April, 2005 or the 1st day of April,. 2006 or the 1st day of April 2007 or the 1st day of April,2008,

(iii)The loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April,2003, to the extent if any such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April 2004, or the 1st day of April, 2005 or the 1st day of April, 2006 or the 1st day of April 2007 or the 1st day of April 2008,

(iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2004 to the extent, if any, such loss has been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2005 or the 1st day of April, 2006 or the 1st day of April 2007 or the 1st day of April 2008.

(v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2005, to the extent if any such loss has not been set off against the agricultural income for the previous relevant to the assessment year commencing on the 1st day of April, 2006 or the 1st day of April, 2007 or the 1st day of April, 2008.

(vi) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2006, to the extent if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2007 or the 1st day of April, 2008,

(vii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2007 to the extent if any such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2008.

(viii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April 2008.

Shall be set off against the agricultural income of the assessee for the previous year relavent to the assessment year commencing on the 1`st day of April, 2009.

(2) Where the assessee has in the previous year relevant to the assessment year commencing on the 1st day of April, 2010, or if, by virtue of any provision of the Income-tax Act, income-tax is to be charged in respect of the income of a period other than the previous year, in such other period any agricultural income and the net result of the computation of the agricultural income of the assessee for any one or more of the previous years relevant to the assessment year commencing on the 1st day of April, 2002 or the 1st day of April, 2003 or the 1st day of April, 2004 or the 1st day of April 2005, or the 1st day of April, 2006 or the 1st day of April, 2007 or the 1st day of April, 2008 or the 1st day of April, 2009, is a loss then for the purposes of sub-section (10) of section 2 of this Act,-

(i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April 2002, to the extent if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2003 or the 1st day of April 2004 or the 1st day of April 2005 or the 1st day of April 2006 or the 1st day of April, 2007 or the day of April, 2008 or the 1st day April 2009..

(ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April ,2003, to the extent if any such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2004 or the 1st day of April, 2005 or the 1st day of April, 2006 or the 1st day of April 2007 or the 1st day of April, 2008 or the 1st day of April, 2009.

(iii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2004, to the extent if any such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April 2005 or the 1st day of April, 2006 or the 1st day of April. 2007 or the 1st day of April, 2008, or the 1st day of April, 2009.

(iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2005, to the extent if any, such, loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2006 or the 1st day of April, 2007 or the 1st day of April 2008 or the 1st day of April, 2009.

(v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2006, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2007 or the 1st day of April 2008 or the 1st day of April 2009.

(vi) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2007, to the extent if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2008 of the 1st day of April 2009.

(vii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2008, to the extent if any such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2009.

(viii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2009.

Shall be set off against the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 2010'',

(B) for sub-rule (4), the following sub-rule shall be substituted, namely:

''(4) Notwithstanding anything contained in this rule, no loss which has not been determined by the Assessing Officer under the provisions of these rules or the rules contained in Part IV of the First Scheduled to the Finance Act, 2001 (14 of 2001), or of the First Schedule to the Finance, Act, 2002 (20 of 2002) or, of the First Schedule to the Finance Act, 2003 (32 of 2003) or of the First Schedule to the Finance (No 2) Act, 2004 (23 of 2004), or of the First Schedule to the Finance Act, 2005 (18 of 2005), or of the First Schedule to the Finance Act 2006 (21 of 2006), or of the First Schedule to the Finance, Act , 2007 (22 of 2007), or of the first Schedule to the Finance Act, 2008 (18 of 2008)shall be set off under sub-rule (1), or as the case may be sub-rule(2)''

V.K. BHASIN,
Additional Secretary to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಪಿ.ಆರ್. 37

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ, ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 20 ಕೇಶಾಪ್ರ 2009, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 16ನೇ ಫೆಬ್ರವರಿ 2009

2009ನೇ ಸಾಲಿನ ಜನವರಿ 13ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The South Asian University Act, 2008 (Act No.8 of 2009) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 13th January 2009/Pausa 23, 1930(Saka)

The following Act of Parliament received the assent of the President on the 11th January, 2009, and is hereby published for general information

THE SOUTH ASIAN UNIVERSITY ACT, 2008

No 8 OF 2009

[11th January, 2009]

An Act to give effect to the Agreement for the establishment of South Asian University and for matters connected therewith or incidental thereto.

WHEREAS an Agreement for the establishment of the South Asian University was signed on behalf of the respective Governments of the Member States of the SouthAsian Association for Regional Co-operation (SAARC) on the 4th day of April, 2007;

AND WHEREAS Article 1 of the said Agreement provides that the main campus of the University shall be located in India, therefore it is expedient to make provisions for giving effect to the said Agreement;

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:

1. Short title extent and commencement: (1) This Act may be called the South Asian University Act, 2008

(2) It extends to the whole of India and to campuses and centres established outside India in the SAARC region.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act.

2. Definitions: In this Act, unless the context otherwise requires:

(a) "Academic Council" means the Academic Council of the University;

(b) "academic staff" means such categories of staff as are designated as academic staff by the Statutes;

(c) "Agreement" means the Agreement for the establishment of the south Asian University;

(d) "bye-laws" means the bye -laws of the University;

(e) "Centre"means a unit of the University or of a University Institute providing teaching, consultancy and research facilities and includes a Regional Centre:

(f) ''employee'' means any person appointed by the University and includes teachers and other staff of the University;

(g) ''Executive Council'' means the Executive Council of the University;

(h) ''Faculty'' means a Faculty of the University;

(i) ''Governing Board'' means a Governing Board of the University constituted under section 6;

(j) ''Hall'' means a unit of residence, by whatever name called, for students of the University provided, maintained or recognized by it;

(k) ''Host Country'' means the Republic of India;

(l) ''Host Government'' means the Government of the Host Country;

(m)''Member States'' means the Member States of the SAARC;

(n)''prescribed''means prescribed by Statutes, Regulations or bye-laws;

(o) ''President'' means the President of the University appointed under section 12'

(p) ''Project Office'' means the project office set up for the purpose of carrying out necessary tasks for establishing the main campus of the University;

(q) ''Recognised institution'' means an institution of higher learning maintained or recognized by or, associated with, the University;

(r) ''Regional Centre'' means a centre established or maintained by the University at any place in the SAARC region for the purpose of coordinating and supervising the work of campuses or centres in such region and for performing such functions as may be conferred on such centre by the Governing Board;

(s) ''Regulations'' means the Regulations of the University;

(t) ''SAARC'' means an organization known as the South Asian Association for Regional Co-operation established by the Charter of the South Asian Association for Regional Co-operation signed on eighth day of December, 1985;

(u) ''SAARC region'' means the region comprising the territories of the Member States;

(v) ''Schedule'' means the Schedule of the Act'

(w) ''Statutes'' means the Statutes of the University;

(x) ''teacher'' means professor reader lecturer and research staff of the University appointed or recognized by the University for imparting instructions in the University or for giving guidance to students for pursuing any course of study of the University; and

(y) ''University'' means the South Asian University incorporated under section 4.

3. Provisions of Agreement to have force of law: Notwithstanding anything contrary contained in any other law, the provisions of the Agreement set out in the Schedule shall have the force of law in India.

4. Incorporation of South Asian University: (1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established for the purposes of giving effect to provisions of the Agreement, a University to be called as South Asian University.

(2) The University shall be a body corporate having prepetual succession and a common seal and shall sue an be sued by the said name.

(3) The Headquarters of the University shall be at Delhi

(4) The University may establish or maintain campuses and centres at such other places within India and outside India in the SAARC region as it may deem fit.

5. Jurisdiction: The Jurisdiction of the University shall extend to whole of India and to campuses and centres established outside India in the SAARC region:

Provided that where the University establishes and maintains any campus or centre outside India at any place in the SAARC region, then the Jurisdiction of the University shall extend to such campus or centre, subject to the provision of the Agreement and laws in force in any of the Member States within which such campus or centre is situated.

6. Governing Board (1) There shall be a Governing Board of the University consisting of two members from each of the Member States of the SAARC and the President of the University:

Provided that until the first Governing Board is formed, the Inter-Governmental Steering Committee of the SAARC shall function as an interim Governing Board.

(2) The Governing Board shall be headed by the Chairperson who shall be elected from amongst the members of the Governing Board.

(3) The members of the Governing Board shall be selected in such manner and for such term as provided in Article 5 of the Schedule.

(4) The president of the University shall be the ex officio member of the Governing Board.

(5) The Governing Board shall be responsible for all the policies and directions of the University and management of its affairs.

(6) The Chairperson of the Board shall exercise such powers as may be prescribed by the Statutes.

7. Objectives of University: The objectives of the University shall be-

(a) to disseminate and advance knowledge, wisdom and understanding by providing instructional and research facilities in such branches of learning as it may deem fit;

(b) to take appropriate measures for promoting innovations in teaching-learning process, inter-disciplinary studies and application of knowledge to social advancement, and human welfare and to the promotion of regional peace and security:

(c) to impart liberal and humane education towards capacity building of the South Asian nations in the domain of science, technology and other areas of higher learning vital for improving their quality of life and to give students the analytical tools needed for the pursuit of profession and inculcate in them the quality of leadership;

(d) to foster in the students sound civic sense and to train them to become useful citizens of democratic societies;

(e) to build a South Asian community of learning where students from countries of South Asia are able to develop their fullest intellectual potential and to create a South Asian community by strengthening regional consciousness;and

(f) to harmonise the academic standards and accreditation norms in teaching research and curriculum that are acceptable to all Member States.

8. Powers of University : The University shall have the following powers, namely:

(i) to provide for instruction in such branches of learning as the University may,from time to time, determine and to make provisions for research and for the advancement and dissemination of Knowledge;

(ii) to establish such special centres and specialized laboratories and such other units for research and instruction as are necessary for the furtherance of its objects;

(iii) to plan and prescribed courses of study for degrees, diplomas certificates or for any other purpose;

(iv) to grant, subject to such conditions as the University may determine, diplomas or certificates and confer degrees or other academic distinctions on the basis of examinations, evaluation or any other method of testing and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;

(v) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;

(vi) to organise and to undertake open learning programmes, extramural studies.training and extension services;

(vii) to institute Chairs principalships, professorships, readerships and lecturerships and other teaching and academic positions, required by the University and to appoint persons to such Chairs, Principalships, Professorships Readerships and lecturerships and other teaching and academic positions;

(viii) to appoint visiting professors, Emeritus professors, consultants, scholars and such other persons who may contribute to the advancement of the objects of the University;

(ix) to recognise persons as Professors, Readers or lecturers or otherwise as teachers of the University;

(x) to create administrative and other posts as the University may deem necessary from time to time and to make appointments thereto;

(xi) to lay down conditions of service of all categories of employees, including their code of conduct;

(xii)to establish and maintain campuses, Centres, Regional Centres as may be determined from time to time;

(xiii) to admit to its privileges institutions situated within its jurisdiction as the University institutions and to withdraw all or any of those privileges in accordance with such conditions as may be prescribed by the Statutes;

(xiv) to co-operate or collaborate or associate with any other University or authority or institution of higher learning or any other public or private body, having in view the promotion of purposes and objects similar to those of the University in such manner as may be prescribed and for such purposes as may be determined or agreed upon by the University;

(xv) to determine standards of admission, including examination, evaluation or any other method of testing to the University, and the institutions maintained by or admitted to the privileges of the University;

(xvi) to demand and receive payment of fees and other charges as may be prescribed;

(xvii) to establish Halls and to recognise, guide, supervise and control Halls not maintained by the University and other accommodation for students, and to withdraw any such recognition;

(xviii)to make arrangements for promoting health and general welfare of students and employees of the University;

(xix) to regulate and enforce discipline among the students and the employees, and to take such disciplinary measures in this regard as may be deemed by the University to be necessary;

(xx) to institute and award Fellowships, Scholarship, Studentships and prizes;

(xxi) to receive benefactions, donations and gifts in accordance with the regulations made by the Governing Board as per norms of the SAARC and to acquire, hold, manage and dispose of any property, movable or immovable, including trust and endowment properties, for the purposes or objects of the University and to invest funds in such manner as it deems fit;

(xxii) to borrow, with the approval of the Governing Board, on the security of the University property, money for purposes of the University;

(xxiii) to recognize for any purpose, either in whole or in part any institution or members or students thereof on such terms and conditions as may, from time to time be prescribed and to withdraw such recognition;

(xxiv) to enter into any agreement for the incorporation of any other institution in the University and for taking its rights, properties and liabilities and for any other purpose not repugnant to this Act;

(xxv) to make provision for research and advisory services and for that purpose to enter into such arrangements with other institutions or bodies as it may deem necessary;

(xxvi) to provide for the printing reproduction and publication of research and other work which may be issued by the University;

(xxvii)to exercise such other powers accorded to it under the Agreement; and

(xxviii) to do all such other acts as may be necessary incidental or conducive to the promotion of all any of the objects of the University.

9. University open to all persons: The University shall be open to all persons irrespective of gender, caste, creed, disability, ethnicity or socio-economic background and it shall not be lawful for the University to adopt or impose on any person, any test whatsoever of religious belief or profession in order to entitle him to be appointed as a teacher of the University or to hold any office therein or be admitted as a student in the University or to graduate thereat or to enjoy or exercise any privilege thereof.

10. Visitor: (1) The Foreign Minister of the current Chair of the SAARC shall be the Visiti or of the University.

(2) The Visit or shall have such powers as may be prescribed by the Statutes.

11. Officers of University: (1) There shall be a President of the University, and such other officers appointed in such manner as may be prescribed, who shall exercise such powers and functions as may be prescribed.

(2) The President shall be the Chief Executive Officer of the University.

12. President and its powers: (1) The President shall be appointed by the Governing Board in such manner as may be prescribed by the Statutes;

Provided that until the President is appointed, the Chief Executive Officer of the Project Office shall exercise the powers of the President and function as Chief Executive officer of the University.

(2) The President shall as the Chief Executive Officer ,exercise general supervision and control over affairs of the University and shall be responsible for implementing the objectives of the University and fulfilling the policy directives of the Governing Board.

(3) The President may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority at its next meeting the action taken by him on scuh matter;

Provided that such exercise of power shall be made only in emergent situations and in no case in respect of creation and upgradation of posts, and appointments thereto;

Provided further that if the authority concerned is of the opinion that such action ought not to have been taken, it may refer the matter to the Governing Board whose decision thereon shall be final.

(4) The President, if he is of the opinion that any decision of any authority of the University is beyond the powers of the authority conferred by the provisions of this Act and the Statutes or that any decision taken is not the interest of the University, may ask the authority concerned to review its decision within sixty days of such decision and if the authority refuses to review the decision either in whole or in part or no decision is taken by it within the said period of sixty days. The matter shall be referred to the Governing Board whose decision thereon shall be final.

(5) The President or any officer of the University, authorized by him in this behalf shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University.

(6) The President shall exercise such other powers as may be prescribed by the Statutes.

13. Other officers: The manner of appointment and powers and duties of other officers of the University shall be such as may be prescribed by the Statutes.

14. Privileges and immunities of President and academic staff: The University, the President and the members of the academic staff and where applicable. Their dependents or members of the family, shall enjoy such privileges and immunities as the Central Government may notify under section 3 of the United Nations (Privileges and Immunities)Act, 1947 (46 of 1947).

15. Authorities of University: The following shall be the authorities of the University-

(a) the Executive Council,

(b) the Academic Council ,and

(c) such other authorities as may be declared by the Governing Board in the Statutes to be the authorities of the University.

16. Executive Council: (1) The Executive Council shall be the executive body of the University and shall exercise powers to give effect to the directions or decisions of the President and the Governing Board.

(2) The constitution of the Executive Council, the term of office of its members and its powers and functions shall be such as may be prescribed by the Statutes.

17. Academic Council: (1) The Academic Council shall be the principal academic body of the University and shall subject to the provisions of this Act, the Statutes and Regulations, Co-ordinate and exercise general supervision over the academic policies of the University.

(2) The constitution of the Academic Council, the term of office of its members and its powers and functions shall be such as may be prescribed by the Statutes.

18. Constitution of other authorities: The constitution of the authorities under clause (c) of Section 15 the terms of the office of the members of such authorities and their powers and duties shall be such as may be prescribed by the Statutes.

19. Faculties and Departments: (1) the University shall have such faculties as may be prescribed by the Statutes.

(2) Each Faculty shall have such Departments or Schools of Studies as are prescribed by the Statutes, and each Department or Schools of Studies shall have such subjects of study as may, be assigned to it by Regulations.

20. Statutes: (1) Subject to the provisions of this Act, the Statutes may provided for all or any of the following matters namely:

(a) powers of the Visitor;

(b) powers of the Chairperson of the Governing Board;

(c) manner of appointment of the President and its powers;

(d) the constitution, powers and functions of the Executive Council, Academic Council and other authorities and bodies of the University;

(e) categories of academic staff;

(f) appointment of teachers academic staff and other employees of the University;

(g) establishment of faculties of the University;

(h) the conditions under which institution may be admitted to the privileges of the University and the withdrawal of such privileges;

(i) the conferment of honorary degrees;

(j) delegation of powers vested in the authorities or officers of the University;

(k) setting up of a machinery for redressal of grievances between employees or the students and the University; and

(l) all other matters which by this Act are to be or may be provided for by the statutes.

(2) The First Statutes shall be those as may be made for the operation of the University by the Inter-Governmental Steering Committee of the SAARC

(3) The Governing Board may, from time to time make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (2):

Provided that the Governing Board shall not make, amend or repeal any Statute affecting the status ,powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing in the proposed changes and any opinion so expressed has been considered by the Governing Board.

21. Regulations: (1) Subject to the provisions of this Act and the Statutes, the Regulations may provide for all or any of the following matters, namely:

(a) the admission and enrolment of students to the University and institutions maintained by or admitted to the privileges of the University;

(b) the courses of study to be laid down for all degrees, diplomas and certificates of the University

(c) the medium of instruction and examination;

(d) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;

(e) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diploms of the University;

(f) the institution of and conditions for award of fellowships, scholarships studentships and prizes;

(g) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies examiners and moderators;

(h) the conditions of residence of students of the University;

(i) the special arrangements, if any which may be made for the residence, discipline and teaching of women students and the prescribing of special courses of studies for them;

(j) the establishment of Centres, University Institutes, Departments, Schools of Studies, Boards of Studies, specialised laboratories and Committees;

(k) the creation ,composition and functions of any other body which is considered necessary for improving the academic life of the University;

(l) the manner of co-operation and collaboration with other Universities, institutions and other bodies or associations; and

(m) all other matters which by this Act or the Statutes are to be or may be provided for by the Regulations;

(2) The First Regulations shall be made by the Chief Executive Officer of the Project Office with the prior approval of the Inter-Governmental Steering Committee and the Regulations so made may be amended, repealed or added to any time by the Governing Board in the manner prescribed by the Statutes.

22. Bye-laws: The authorities of the University may make bye- laws consistent with this Act, the Statutes and the Regulations for the conduct of their own business and not provided for by this Act, the Statutes or the Regulations, in the manner as may be prescribed by Statutes.

23. Power to give retrospective effect to Statutes and Regulations: The power to make Statutes or Regulations shall include the power to give retrospective effect, from a date not earlier than the date of commencement of this Act, to the Statutes or Regulations or any of them but no retrospective effect shall be given to any Statute or Regulation so as to prejudicially affect the interests of any person to whom such Statute or Regulation may be applicable.

24. Annual report: (1) The annual report of the University shall be prepared under the direction of the Governing Board and shall be considered by the University at its annual meeting . The annual report of the University shall also be presented to the session of the Council of Ministers of the SAARC.

(2) The annual report of the University shall be circulated to all the SAARC Member States through the SAARC Secretariat.

25. Audit of accounts: (1) The accounts of the University shall, once at least in every year and at intervals of not more than fifteen months, be audited by any person or firm authorised by the Governing Board.

(2) The accounts of the University shall be audited, as per existing norms as laid down by the SAARC.

(3) The accounts, when audited shall be published, and a copy of the accounts together with the audited report shall be submitted to the Secretary-General of the SAARC.

26. Conditions of service of employees: (1) Every employee of the University shall be appointed under a written contract, which shall be lodged with the University and a copy of which shall be furnished to the employee concerned.

(2) Any dispute arising out of the contract between the University and any employee shall be referred to the Tribunal for Arbitration constituted for that purpose.

(3) The decision of the Tribunal shall be final and no suit shall lie in any court in respect of the matters decided by the Tribunal.

(4) The procedure for regulating the work of the Tribunal under sub-section (2) shall be prescribed by the Statutes.

27. Procedure of arbitration in disciplinary cases against students: Any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be referred to a Tribunal for Arbitration and the provisions of sub-sections (2), (3) and (4) of section 26 shall as far as may be apply to the reference made under this section.

28. Proceeding of University authorities or bodies not invalidated by vacancies: No act or proceedings of the University or any of its authorities or bodies shall be invalid merely by reason of the existence of a vacancy or vacancies among its members.

29. Protection of action taken in good faith: No suit or other legal proceeding shall lie against the University, any of its officers or employees for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act.

30. Reference to SAARC Arbitration Council: All difference arising out of the interpretation or application of the Agreement shall be referred to the SAARC Arbitration Council, unless in any case it is agreed by the parties to have recourse to another mode of settlement.

31. Statutes and Regulations and bye-laws to be published in Official Gazette and to be laid before Parliament: (1)The Statutes Regulations and bye-laws made under this Act shall be published. in the Official Gazette.

(2) Every Statute,Regulation or bye-law made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament.

32. Power to remove difficulties: (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of the period of three years from the commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament.

THE SCHEDULE

(See section 3)

PROVISIONS OF THE AGREEMENT TO HAVE THE FORCE OF LAW

Article 1

Establishment of the South Asian University

1. There is hereby established an institution to be known as the South Asian University (hereinafter referred to as the "University") which shall be a non-state ,non-profit self governing international educational institution with a regional focus for the purposes set forth in this agreement and shall have full academic freedom for the attainment of its objectives.

2. The main campus of the University shall be located in India.

3. The University shall have full legal Personality.

4. The legal capacity of the University shall, inter alia, include;

(a) the power to confer degrees, diplomas and certificates;

(b) the capacity to contract;

(c) to sue and be sued in its name;

(d) to acquire, hold and dispose of properties;

(e) to establish campuses and centres in the region; and

(f) to make rules, regulations and bye-laws for the operation of the University.

Article 2

Objectives and Functions of the South Asian University

The objectives and functions of the University shall, inter alia, include:

1. To create a world class institution of learning that will bring together the brightest and the most dedicated students from all countries of South Asia irrespective of gender, caste, creed, disability ethnicity or socio-economic background to impart to them liberal and humane education and to give them the analytical tools needed for the pursuit of a profession and inculcate in them the qualities of leadership.

2. To build a South Asian community of learning where every student will be able to develop her/his fullest intellectual potential and to create a South Asian community by strenthening regional consciousness.

3. To impart education towards capacity building of the South Asian nations in the domain of science, technology and other areas of higher learning vital for improving their quality of life.

4. To contribute to the promotion of regional peace and security by bringing together the future leaders of South Asia, and enhancing their understanding of each others; perspectives.

5. To foster in the students sound civic sense and to train them to become useful citizens of democratic societies.

Article 3

Funding

The University shall be non-profit public –private partnership, which will seek support from each of the national Governments of member states and from other sources but will be autonomous and accountable to its board of trustees/governors.

Article 4

The Fiscal Status

1. The University and its campuses and centres shall be exempted. in the state where it is located, from paying and from collecting all direct and indirect forms of taxes and duties for the establishment and operations of the University.

2. The University shall enjoy treatment in relation to priorities rates and charges for utilities that are not less favourable than that accorded to state owned enterprises and universities.

3. The University has the right to accept inter vivos as well as testmentary gifts. contributions, and donations in cash or in kind for the objectives of the University. All such gifts and donations from any legal or physical person are fully deductible without any limit against the income of such donor or contributor in the respective Founding States.

4. Taxation and social protection of the citizens of the Founding States employed by the University shall be regulated in accordance with the respective national legislation of the respective States. The employees of the University from countries other than the host country will be governed by the income-tax laws of the home countries and will not be taxed as per the laws of the host country.

Article 5

Governance Structure

1. The University shall be governed by a Governing Board composed of two members from each member state and will be headed by a Chairperson. The Chairperson shall be elected from among the members of the Governing Board.

2. Each member of the Governing Board shall serve office for a fixed term of three years and shall not hold office for more than two consecutive terms. The members shall be selected from amongst the distinguished persons from the region and shall be responsible for the overall policies and directions of the University. The powers and functions of the Chairperson of the Governing Board and the role of the Board shall be decided as per the rules and regulations of the University.

3. The University shall be headed by a President appointed by the Governing Board. The appointment tenure, powers and functions shall be decided as per the rules and regulations of the University.

4. The President shall also be the Chief Executive Officer (CEO) and an ex officio member of the Governing Board. The President as the CEO of the University, will report to the Board and hold office at the pleasure of the Board. He will be responsible for implementing the vision and the foundation statement of the University ensuring the purpose and objectives of the University, upholding uniformly high academic standards, and fulfilling the policy directives of the Board of the University.

5. The President as the Chief Executive officer of the University shall act under direction of the Governing Board. The President shall be assisted by an Executive Council The President shall constitute the Academic Council, different committees and appoint the principal officers of the University as per bye-laws.

Article 6

Visa and Resident Permit

The Member states shall provide appropriate visas to the students. faculty and staff for travel in all the SAARC Member States and grant necessary resident permit for students faculty and administrative

staff to work in the University and its different campuses, centres and collaborative educational institutions.

Article 7

Recognition of the Degrees

This Agreement shall facilitate the mutual recognition of degrees and certificates awarded by the University in all the SAARC Member States at par with the degrees and certificates issued by their respective national universities/institutions.

T.K. VISWANATHAN

Secy to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಪಿ.ಆರ್. 23 ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ, ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 47 ಕೇಶಾಪ್ರ 2008, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 25ನೇ ನವೆಂಬರ್ 2008

2008ನೇ ಸಾಲಿನ ಜುಲೈ 3ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ (I) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Employees' state Insurance (Amendment) Ordinance, 2008 (No 7 of 2008) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 3rd July, 2008/Ashadha 12, 1930 (saka)

THE EMPLOYEES STATE INSURANCE (AMENDMENT)

ORDINANCE 2008,

NO 7 OF 2008

Promulgated by the President in the Fifty-ninth Year of the Republic of India

An Ordinance further to amend the Employees'' State Insurance Act, 1948.

WHEREAS Parliament is not in session and the President is statisfied that circumstances exist which render it necessary for her to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution ,the President is pleased to promulgate the following Ordinance:

1. Short title and commencement: (1) This Ordinance may be called the Employees' State Insurance (Amendment) Ordinance, 2008.

(2) It shall come into force at once.

2. Substitution of new Chapter for Chapter VA: In the Employees State Insurance, Act, 1948(34 of 1948) for Chapter, VA the following Chapter shall be substituted, namely

CHAPTER VA

SCHEME FOR OTHER BENEFICIARIES

73A. Definitions: In this Chapter –

(a)''other beneficiaries'' means persons other than the person insured under this Act;

(b) "Scheme" means any Scheme framed by the Central Government from time to time under section 73B for the medical facility for other beneficiaries;

(c) "underutilised hospital" means any hospital not fully utilised by the persons insured under this Act;

(d) "user charges" means the amount which is to be charged from the other beneficiaries for medical facilities as may be notified by the Corporation in consultation with the Central Government from time to time.

73B. Power to frame Scheme: Notwithstanding anything contained in this Act, the Central Government may, by notification in the Official Gazette, frame Scheme for other beneficiaries and the members of their families providing medical facility in any hospital established by the Corporation in any area which is underutilised hospital on payment of user charges.

73C. Collection of user charges: The user charges collected from the other beneficiaries shall be deemed to be contribution and shall form part of the Employees' State Insurance Fund.

73D. Scheme for other beneficiaries : The Scheme may provide for all or any of the following matters., namely:

(i) the other beneficiaries who may be covered under this Scheme;

(ii) the time and manner in which the medical facilities may be availed by the other beneficiaries;

(iii) the form in which the other beneficiary shall furnish particulars about himself and his family whenever required as may be specified by the Corporation;

(iv) any other matter which is to be provided for in the scheme or which may be necessary or proper for the purpose of Implementing the Scheme.

73E. Power to amend Scheme: The Central Government may, by notification in the Official Gazette, add to amend, vary or rescind the Scheme.

73F. Laying of Scheme framed under this Chapter: Every Scheme framed under this Chapter shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days. which may be comprised in one session or in two or more successive sessions, and if before, the expiry of the session immediately following the session or the successive sessions aforesaid both Houses agree in making any modification in the Scheme or both Houses agree that the Scheme should not be made, the Scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Scheme;

PRATIBHA DEVISINGHPATIL,
President

K.D. SINGH
Secy to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಆರ್. ಆಂಜಿನಿ
ಪಿ.ಆರ್. 72 ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ, ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 19 ಕೇಶಾಪ್ರ 2009, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 16ನೇ ಫೆಬ್ರವರಿ 2009

2009ನೇ ಸಾಲಿನ ಜನವರಿ 9ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Collection of Statistics Act, 2008 (Act No. 7 of 2009) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 9th January 2009/Pausa 19, 1930 (saka)

The following Act of Parliament received the assent of the President on the 7th January, 2009 and is hereby published for general information:

THE COLLECTION OF STATISTICS ACT 2008

NO 7 OF 2009

[7th January 2009]

An Act to facilitate the collection of statistics on economic, demographic, social scientific and environmental aspects, and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement: (1) This Act may be called the Collection of Statistics Act, 2008.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may by notification in the Official Gazette, appoint.

2. Definitions: In this Act, unless the context otherwise requires,

(a) "agency" includes a person or persons engaged by the appropriate Government, directly or by outsourcing for collection of statistics;

(b) "appropriate Government" means-

(i) any Ministry or Department in the Central Government; or

(ii) any Ministry or Department in a State Government or Union territory Administration ;or

(iii) any local government that is to say, Panchayats or Municipalities, as the case may be,

In relation to the collection of statistics under a direction issued by it under section 3;

(c) "informant" means any person, who supplies or is required to supply statistical information and includes a owner or occupier or person in-charge or his authorised representative in respect of persons or a firm registered under the Indian Partnership Act, 1932 (9 of 1932) or a co-operative society registered under any Co-operative Societies Act or a company registered under the Companies Act, 1956 (1 of 1956) or a society registered under the Societies Registration Act, 1860 (21 of 1860) or any association recognised or registered under any law for the time being in force;

(d) "information schedule" means any book.,document, form card tape, disc or any storage media on which information required is entered or recorded or is required to be entered or recorded for statistical purposes under this Act;

(e) "prescribed" means prescribed by rules made under this Act;

(f) "sampling" means a statistical procedure by which information relating to a particular field of inquiry is derived by applying statistical techniques to information obtained in respect of a proportion of the total number of persons or units concerned relevant to the field of inquiry;

(g) "statistical survey" means a census or a survey, whereby information is collected from all the informants in the field of inquiry or from a sample thereof by an appropriate Government under this Act or any other relevant Act, wholly or primarily for the purposes of processing and summarising by appropriate statistical procedures;

(h) "statistics" means statistics derived by collecting, classifying and using statistics specially in or for large quantities or numbers by appropriate Government from statistical Administrative and registration records, and other forms and papers, the statistical analysis of which are, whether in a published or unpublished form;

(i) "statistics officer" means any officer appointed under section 4 for the purposes of any direction issued under section 3 of this Act.

CHAPTER II

COLLECTION OF STATISTICS

3. Collection of statistics: The appropriate Government may, by notification in the Official Gazette, direct that the statistics on economic, demographic, social, scientific and environmental aspects shall be collected through a statistical survey or otherwise, and thereupon the provisions of this Act shall apply in relation to those statistics;

Provided that-

(a) nothing contained in this section shall be deemed to authorise a State Government or Union territory Administration or any local government to issue any direction with respect to the collection of statistics relating to any matter falling under any of the entries specified in List I (Union List) in the Seventh Schedule to the Constitution;or

(b) where the Central Government has issued any ……… under this section for the collection of statistics relating to any matter, no state Government of Union territory Administration or any local government shall except with the previous approval of the Central Government ,issue any similar direction for so long as the collection of such statistics by the Central Government remain to be completed;or

(c) where a State Government or Union territory Administration or any local government has issued a direction under this section for the collection of statistics relating to any matter the Central Government shall not issue any similar direction for so long as the collection of such statistics by the State Government remain to be completed, except in cases where such statistics have to be collected with reference to two or more states or Union territories.

4. Powers of appropriate Government to appoint statistics officer etc: (1) The appropriate Government may appoint or cause to appoint an officer to be the statistics officer for any geographical unit for the purpose of collecting any statistics directed by it.

(2) The appropriate Government may appoint any agency or persons working in such agencies to take, or aid in , or supervise the collection of the statistics within any specified geographical unit and such agencies or persons, when so appointed, shall be bound to serve accordingly.

(3) The appropriate Government may employ on contract basis any agency or company or organisation or association or person, on such terms and conditions and on such safeguards as may be prescribed for the purpose of collecting the statistics directed by it.

(4) The appropriate Government may delegate to any statistics officer, as it thinks, fit, the power of appointing agencies or persons working in such agencies or employing on contract basis any agency or company or organisation or association of persons, conferred on it by sub-sections (2) and (3) within the geographical unit for which such statistics officer is appointed.

(5) The appropriate Government may by order specify the form, the particulars required or the interval within which and the statistics officer to whom, the statistical information by the informants shall be furnished.

(6) The appropriate Government may, by order published in the Official Gazette, delegate to any statistics officer, as it thinks fit, any power conferred under sub-section (5) for the purpose of the collection of statistics under a direction issued by it under section 3.

5. Power of statistics officer to call for information: The statistics officer may, for the purpose of collection of statistics on any specified subject in any geographical unit for which the said officer was appointed-

(a) serve or cause to be served on any informant a notice in writing asking himto furnish the information specified under sub-section (5) of section 4 or cause a information schedule to be given to any informant for the purpose of its being filled up;or

(b) cause all questions relating to the subject to be asked from any informant;

or

(c) seek information through tele tax or telephone or e-mail or in any other electronic mode or in a combination of different modes for different sets of information so specified

6. Duty of informants: The informants who are asked to furnish any information under the provisions of this Act shall be bound to furnish the information so asked in the prescribed manner to the best of knowledge or belief, and in cases where only a portion of a particular class or group of persons or units is asked to furnish information because of any sampling procedure, it shall not be a defence in failure on the part of any informant to furnish that information , if so asked.

7. All agencies to assist: Every agency shall render such help and assistance and furnish such information to the statistics officer or a person or an agency authorised by him in writing, as he may require for the discharge of his functions, and shall make available for inspection and examination of such records, plans and other documents as may be necessary.

8. Right of access to records or documents: The statistics officer or any person authorised by him in writing in this behalf shall, for the purposes of collection of any statistics under this Act, have access to any relevant record or document in the possession of any informant required to furnish any information under this Act, and may enter at any reasonable time any premises where he believes such record or document is kept and may inspect or take copies of relevant records or documents or ask any question necessary for obtaining any information required to be furnished under this Act.

CHAPTER III

DISCLOSURE OF INFORMATION IN CERTAIN CASES AND RESTRICTIONS OF THEIR USE

9. Security of information: (1) Any information furnished to the statistics officer or to any person or agencies authorised under this Act shall only be used for statistical purposes.

(2) No person other than a person engaged in the work of collection of statistics under this Act or preparation of statistics resultant to such collection shall be permitted to see any information schedule or any answer to a question asked, except for the purposes of a prosecution under this Act.

(3) No information contained in any information schedule and no answer to any question asked shall, except for the purposes of a prosecution under this Act, be separately published, or disclosed without suppressing the identification of informants to any agency.

(4) All statistical information published by any agency shall be arranged in such a manner so as to prevent any particulars becoming identifiable by any person (other than the informant by whom those particulars were supplied) as the particulars relating to the informant who supplied, it even through the process of elimination, unless-

(a) that informant has consented to their publication in that manner;or

(b) their publication in that manner could not reasonably have been foreseen by the concerned agency or any employee thereof.

(5) For the purposes of sub-section (4), the Central Government may make such rules or make such arrangement as it may consider necessary.

10. Appropriate Government authorised to disclose certain information: Notwithstanding the provisions contained in section 9 of this Act, the appropriate Government may disclose the following information, namely:

(a) information supplied by informant in respect of which disclosure is consented to in writing by the informant or by any person authorised by the said informant;

(b) information otherwise available to the public under any Act or as a public document;

(c) information in the form of an index or list of the names and addresses of informants together with the classification, if any, allotted to them and the number of persons engaged.

11. Disclosure of information schedules for bona fide research or statistical purposes: Notwithstanding the provisions contained in section 9 of this, Act, the appropriate Government may disclose individual returns or formats or information schedules to other agency or person or institutions or universities solely for bona fide research or statistical purposes pursuant to their functions and duties.

(2) No individual return or information schedule shall be disclosed pursuant to this section unless.

(a) the name and address of the informant by whom the schedule or related information was supplied is deleted;

(b) every agency or person or institutions or Universities involved in the research or statistical project makes a declaration to use the schedules disclosed to them only for bond fide research or statistical purposes; and

(c) the appropriate Government, making such disclosure is satisfied that the security of the schedules and any information contained therein shall not be impaired.

(3) The published results of any research or statistical project shall not divulge any more information than what the agency authorised for collection of statistics could publish under this Act.

(4) Every agency or person or institutions or universities to whom any individual return or information schedule is disclosed under this section shall comply with directions given by the agency authorised for collection of statistics making the disclosure relating to the schedules and any information contained therein.

12. Disclosure of historical documents: Notwithstanding anything contained in section 9 of this Act, the appropriate Government may release such documents relating to information schedules, which in its opinion have attained historical importance.

13. Security of recorded information: The statistics officer or any person or agency authorised for collection of statistics shall, while copying or recording any statistical information collected pursuant to this Act from individual returns, information schedules, worksheets or any other confidential source by means of cards tapes, discs, film or any other method whether using encoded or plain language symbols for processing, storage or reproduction of particulars, take and cause to take such steps as are necessary to ensure that the security provisions of this Act are complied with.

14. Restrictions on use of information: Save as otherwise provided under this Act,-

(a) no information obtained pursuant to this Act and no copy of the information in the possession of any informant shall be disclosed or used as evidence in any proceedings whatsoever;and

(b) no person who has access to any information because of his official position in the collection of any statistics shall be completted in any proceedings whatsoever to give oral testimony regarding the information or to produce any schedule document or record with respect to any information obtained in the course of administering this Act,

Except in the manner provided under this Act.

CHAPTER IV

OFFENCES AND PENALTIES

15. Penalty for neglect or refusal to supply particulars: (1) Whoever, fails to produce any books of accounts vouchers, documents or other business records or whoever neglects or refuses to fill in and supply the particulars required in any information schedule or return given or sent to him or whoever neglects or refuses to answer any question or inquiry addressed to him as may be required under or for the purposes of any provision of this Act and the rules made thereunder, shall be punishable with a fine which may extend to one thousand rupees or in the case of a company, with a fine which may extend to five thousand rupees.

(2) The conviction of a person or company for an offence shall not relieve him or it of the obligations under sub-section (1) and if after the expiry of fourteen days from the date of conviction, he or it still fails to give the required particulars or continues to neglect or refuses to fill in and supply the particulars or to answer the question or inquiry, then he or it shall be punishable with a further fine which may extend to one thousand rupees, or in the case of a company, with a fine which extend to five thousand rupees, for each day after the first during which the failure continues.

16. Penalty for making false statement: Whoever, wilfully makes any false or misleading statement or material omission in any information schedule or return filled in or supplied or in answer to

any question asked to him under this Act or the rules made thereunder, shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to one thousand rupees or in the case of a company, with a fine which may extend to five thousand rupees or with both.

17. Penalty for mutilation or defacement of information schedule: Whoever, destroys, defaces, removes or mutilates any information schedule, form , or other document containing particulars collected under this Act or requesting any such particulars, shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to two thousand rupees or in the case of a company with a fine which may extend to ten thousand rupees or with both.

18. Penalty for obstruction of employees: Whoever, interferes with,. hinders, or obstructs any employee in the exercise of any power or duty conferred by this Act, shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to two thousand rupees or in the case of a company with a fine which may extend to ten thousand rupees or with both.

19. Penalty for other offences: Whoever-

(a) acts in contravention of or fails to comply with any provision of this Act or any requirement imposed under this Act; or

(b) wilfully deceives or attempts to deceive any statistics officer or any agency or any employee thereof.

Shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to two thousand rupees or ,in the case of a company, with a fine which may extend to ten thousand rupees or with both.

20. Penalty for failure to carry out duties and functions by employees: If any person employed in the execution of any duty or functions under this Act,

(a) omits without lawful excuse to cary out his duty, or knowlngly makes any false declaration, statement or return;or

(b) pretends performance of his duties or obtains or seeks to obtain information which he is not authorised to obtain; or

(c) fails to keep inviolate the secrecy of the information gathered or entered in the information schedules collected pursuant to this Act and except as permitted under this Act, divulges the contents of any schedule filled in or any information furnished by any informant under this Act,

Shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to two thousand rupees in the case of a company, with a fine which may extend to ten thousand rupees or with both.

21. Penalty for impersonation of employee: Whoever, not being authorised to collect statistics under the provisions of this Act, by words, conduct or demeanor pretends that he is authorised to do so, shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to two thousand rupees or , in the case of a company, with a fine which may extend to ten thousand rupees or with both.

22. General penalty: Whoever commits an offence under this Act for which no penalty is prescribed elsewhere than in this section shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to two thousand rupees or in the case of a company, with a fine which may extend to ten thousand rupees or with both.

23. Offences by companies: (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this Sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any, neglect on the part of any director, manager, secretary or other officer of the company, such director, manager , secretary or other officer shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Explanation: For the purpose of this section-

(a) "company" means any body corporate and includes a firm or other association of individuals;and

(b) "Director" in relation to a firm means a partner in the firm.

24. Cognizance of offences: No court shall take cognizance of any offence under this Act except on a complaint made by the appropriate Government or an officer authorised in this behalf by such appropriate Government or, as the case may be, the statistics officer, and no court inferior to that of a Metropolitan magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.

25. Sanction for prosecution for offence: No prosecution for an offence committed by any informant shall be instituted except by or with the sanction of the statistics officer and no prosecution for an offence committed by persons other than informants shall be instituted except by or with the consent of the appropriate Government.

26. Power of court to try cases summarily: Notwithstanding anything contained in the Code of Criminal Procedure 1973,(2 of 1974) a all offences under this Act shall be tried in a summary way by a judicial Magistrate of the first class or by a Metropolitan Magistrate and the provisions of sections 262 to 265 (both inclusive) of the said code shall, as far as may be, apply to such trial:

Provided that when in the course of a summary trial under this section it appears to the Magistrate that the nature of the case is such that it is, for any reason, undesrirable to try the case summarily the Magistrate shall after hearing the parties, record an order to that effect and thereafter recall any witness who may have been examined and proceed to hear or rehear the case in the manner provided by the said Code.

CHAPTER V

POWER IN RESPECT OF CORE STATISTICS

27. Power in respect of core statistics: Without prejudice to the provisions contained in this Act, the Central Government may by notification in the Official Gazette declare from time to time any subject for the collection of statistics of national importance as 'core statistics' and make such arrangement, as it may consider necessary, for regulating the collection and dissemination of statistics on the subject so declared.

CHAPTER VI

MISCELLANEOUS

28. Power to give directions: The Central Government may give directions to any State Government or Union territory Administration or to any local government that is to say Panchayats or Municipalities, as to the carrying into execution of this Act in the State or Union territory or panchayats, or Municipalities, as the case may be.

29. Public servants: Any statistics officer and any person authorised for the collection of statistics or preparation of official statistics under the provisions of this Act shall be deemed to be a Public servant within the meaning of section 21 of the Indian Penal Code, 1860 (45 of 1860).

30. Bar of jurisdiction: No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which the appropriate Government or the statistics officer or the agency is empowered by or under this Act to determine, and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

31. Protection of action taken in good faith: No suit or other legal proceedings shall lie against the appropriate Government or agency or any statistics officer or other officers or employees in respect of anything which is in good faith done or intended to be done in pursuance of this Act or the rules or directions issued thereunder.

32. Overriding effect: The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force except in relation to the conduct of human population census as per the directions, if any, issued under the Census Act, 1948 (37 of 1948).

33. Power to make rules: (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the Central Government may make rules under this section for all or any of the following matters, namely:

(a) principals for coordinating as effectively as possible to achieve the objectives of section 3 including nomination and registration of statistics officers by the Central Government and also to avoid unnecessary duplication in the collection of statistics.

(b) the terms, conditions and safeguards under which any person or agency or company or organisation or association may be engaged by the appropriate Government for the purpose of collection of statistics under sub-section (3) of section4;

(c) principles for prescribing the form and manner in which the information may be required to be furnished;

(d) principles for prescribing the manner in which the right of access to documents and the right of entry conferred by section 8 may be exercised; and

(e) any other matter which is to be or may be prescribed under this Act.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if before the expiry of the session immediately following the session or the successive sessions aforesaid both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be;so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule,.

34. Repeal and savings: (1) The Collection of Statistics Act, 1953 (32 of 1953) is hereby repealed.,

(2) Notwithstanding such repeal anything done or any action taken under the said Act shall be deemed to have been done or taken under the corresponding provisions of this Act.

(3) All rules made under the said Act shall continue to be in force and operate till new rules are made under this Act.

T.K. VISWANATHAN,
Secy:to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಆರ್. ಆಂಜಿನಿ
ಪಿ.ಆರ್. 22 ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ, ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 30 ಕೇಶಾಪ್ರ 2009, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮೇ 2009

2009ನೇ ಸಾಲಿನ ಮಾರ್ಚ್ 16ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 2009 (Act No. 23 of 2009) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 16th March, 2009/Phalguna, 25, 1930 (Saka)

The following Act of Parliament received the assent of the President on the 16th March, 2009, and is hereby published for general information:

THE HIGH COURT AND SUPREME COURT JUDGES (SALARIES AND CONDITIONS OF SERVICE) AMENDMENT ACT 2009

NO. 23 OF 2009

[16th March, 2009]

An Act further to amend the High Court Judges (Salaries and Conditions of Service)Act, 1954 and the Supreme Court, Judges (salaries and Conditions of Service)Act, 1958.

BE it enacted by Parliament in the Sixtieth year of the Republic of India as follows:

CHAPTER I

Preliminary

1. Short title and commencement: (1) This Act may be called the High Court and Supreme Court Judges (Salaries and Conditions of services) Amendment Act, 2009

(2) Sections 2,3,4,7,8,9,10 and 13 shall be deemed to have come into force on the 1st day of January 2006 and the remaining provisions of this Act shall be deemed to have come into force on the 1st day of September, 2008.

CHAPTER II

AMENDMENT OF THE HIGH COURT JUDGES (SALARIES AND CONDITIONS OF SERVICE)ACT, 1954

2. Amendment of section 13A: In the High Court Judges (Salaries and Conditions of Service) Act, 1954 (28 of 1954) (hereinafter referred to as the High Court judges Act), in section 13A-.

(a) in sub-section (1), for the words "thirty thousand rupees per mensem" the words "ninety thousand rupees per mensem" shall be substituted;

(b) in sub-section (2), for the words "twenty-six thousand rupees per mensem" the words "eighty thousand rupees per mensem" shall be substituted.

3. Amendment of section 17A: In section 17A the High Court Judges Act, in sub-section (1),-

(a) the words "plus fifty per cent of his dearness pay" shall be omitted;

(b) the words "plus thirty percent of his dearness pay subject to a minimum of one thousand nine hundred and thirteen rupees per month' 'shall be omitted;

4. Insertion of new section 17B: After section 17A of the High Court Judges Act the following section shall be inserted, namely:

"17B. Additional quantum of pension or family pension: Every retired Judge or after his death, the family, as the case may be shall be entitled to an additional quantum of pension or family pension in accordance with the following scale:

Age of Pensioner or Family Pensioner	Additional quantum of pension or family pension
From eighty years to less than eighty-five years	Twenty per cent of basic pension or family pension
From eighty-five years to less than ninety years	Thirty percent of basic pension or family pension
From ninety years to less than ninety- five years	Forty percent of basic pension or family pension
From ninety- five years to less than hundred years	Fifty percent of basic pension or family pension
From hundred years or more	Hundred percent of basic pension or family pension"

5. Amendment of section 22A: In section 22A of the High Court Judges Act, in sub-section (2), the words "plus thirty per cent of the dearness pay" shall be omitted.

6. Amendment of section 22C: In the High Court Judges Act, for section 22C, the following section shall be substituted, namely:

"22C. Sumptuary allowance: The Chief Justice and each of the other Judges of every High Court shall be entitled to a sumptuary allowance of fifteen thousand rupees per month and twelve thousand rupees per month respectively".

7. Amendment of First Schedule: In the First Schedule to the High Court judges Act-

(a) in Part I-.

(i) in paragraph2,-

(A) in clause (a), for the letters and figures "Rs 21,945" letters and figures "Rs 43, 890" shall be substituted;

(B) in clause (b), for the letters and figures "Rs 16,725" the letters and figures "Rs 34, 350' 'shall be substituted;

(C) in the proviso, for the letters and figures "Rs 2,70.,000" and "Rs 2,34,000" the letters and figures "Rs 5,40,000" and; "Rs 4,80,000" shall, respectively, be substituted;

(ii) in paragraph 8, for the letters and figures "Rs 2,70, 000" the letters and figures" Rs 5,40,000, shall be substituted;

(iii) in paragraph 9 for the letters and figures "Rs 76, 785", the letters and figures "Rs 1,57,670' 'shall be substituted;

(b) in part II-,

(i) in the proviso to paragraph 2, for the letters and figures "Rs 2,70, 000" and "Rs 2,34,000" the letters and figures "Rs 5,40,000" and "Rs 4,80,000' 'shall respectively, be substituted;

(ii) in paragraph 3, for the figures "16,898", "20,280", "23,649", "27,033", "30,420", and "33,799" the figures "34,696", "41,642", "48,559" "55,508", "62,462", and 69, 402" shall respectively , be substituted;

(c) in part III, in paragraph 2-

(A) in clause (b), for the letters and figures "Rs. 7,800" the letters and figures "Rs, 16,020" shall be substituted;

(B) In the proviso, for the letters and figures "Rs 2,70,000" and "Rs 2,34,000" the letters and figures "Rs, 5,40,000" and "Rs 4,80,000" shall respectively be substituted.

CHAPTER III

AMENDMENT OF THE SUPREME COURT JUDGES (SALARIES AND CONDITIONS OF SERVICE) ACT ,1958

8. Amendment of section 12A: In the Supreme Court judges (Salaries and Conditions of Service) Act, 1958 (41 of 1958) (hereinafter referred to as the Supreme Court Judges Act), in section 12A,-

(a) in sub-section (1), for the words "thirty –three thousand rupees per mensem" the words "one lakh rupees per mensem" shall be substituted;

(b) in sub-section (2), for the words "thirty thousand rupees per mensem" the words "ninety thousand rupees per mensem" shall be substituted.

9. Amendment of section 16A: In section 16A of the Supreme Court Judges Act, in sub-section (1)-

(i) in clause (a), the words "plus fifty per cent of his dearness pay' 'and "plus thirty per cent of his dearness pay' 'shall be omitted;

(ii) in clause (b), the words "plus thirty per cent of his dearness pay' 'shall be omitted.

10. Insertion of new section 16B: After section 16A of the Supreme Court Judges Act, the following section shall be inserted, namely:

"16B. Additional quantum of pension or family pension: Every retired Judge or after his death, the family, as the case may be, shall be entitled to an additional quantum of pension or family pension in accordance with the following scale

Age of Pensioner or Family Pensioner	Additional quantum of pension or family pension
From eighty years to less than eighty-five years	Twenty percent of basic pension or family pension
From eighty-five years to less than ninety years	Thirty per cent of basic pension or family pension
From ninety year to less than ninety-five years	Forty per cent, of basic pension or family pension
From ninety-five years to less than hundred years	Fifty per cent of basic pension of family pension
From hundred years or more	Hundred percent of basic pension or family pension",

11. Amendment of section 23 : In section 23 of the Supreme Court Judges Act, in sub-section (1A) the words "plus thirty per cent of the dearness pay, shall be omitted.

12. Amendment of section 23B: In section 23B of the Supreme Court judges Act, for the words "ten thousand" and "seven thousand five hundred" the words "twenty thousand" and "fifteen thousand" shall, respectively be substituted.

13 .Amendment of Schedule: In the Schedule to the Supreme Court Judges Act-

(a) in Part I-.

(i) in paragraph 2,-

(A) in clause (b), for the letters and figures "Rs 6,030" "Rs 1,82,820" and "Rs 15,360" the letters and figures "Rs 12,180" "Rs 3,69,300" and "Rs 31,030" shall respectively, be substituted;

(B) in the proviso, for the letters and figures "Rs 2,97,000" the letters and figures "Rs 6,00,000 shall be substituted;

(ii) in the proviso to paragraph, 3, for the letters and figures "Rs 2,70,000" the letters and figures' 'Rs 5,40,000" shall be substituted;

(b) in Part II in paragraph 2, in clause (b), for the letters and figures "Rs 16,898" the letters and figures "Rs 33,795' 'shall be substituted;

(c) in part III, in paragraph 2-

(A) in clause (b), for the letters and figures "Rs. 7,800" the letters and figures "Rs, 16,020" shall be substituted;

(B) in the proviso, for the letters and figures "Rs 2,97,000" and "Rs 2,70,000" the letters and figures "Rs, 6,00,000" and "Rs 5,40,000" shall respectively be substituted

CHAPTER IV

TRANSITIONAL PROVISION

14. Arrears: The difference of salary, pension and family pension payable to a Judge of High Court or to his family, as the case may be under the High Court Judges Act or a Judge of the Supreme Court or his family, as the case may be, under the Supreme Court Judges Act as amended by this Act and the salary pension or family pension payable to such Judge or his family, as the case may be ,but for this Act shall be paid in two instalments, the first instalment of forty per cent to be paid during the current financial year 2008-09 and the remaining sixty percent to be paid in the financial year 2009-10.

15. Repeal and saving: (1) The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Ordinance, 2009 (Ord 1 of 2009) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the High Court Judges (Salaries and Conditions of Services) Act, 1954 (28 of 1954) and the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958 (41 of 1958) as amended by the said Ordinance shall be deemed to have been done or taken under the High Court, judges (Salaries and Conditions of Service)Act, 1954 and the Supreme Court Judges (Salaries and Conditions of service) Act, 1958 as amended by this Act

T.K. VISWANATHAN,
Secy:to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಪಿ.ಆರ್. 34 ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ, ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ